

GREG RUTHERFORD, Butte County  
Deputy Sheriff; MICK GREY, Butte  
County Sheriff; and COUNTY OF BUTTE,  
  
Defendants.

## Defendants.

O R D E R

Pending before the court is defendant's motion to strike plaintiff's objections to defendant's trial exhibits filed September 9, 2005. Defendant asserts that plaintiff's objections were not timely served and/or filed in accordance with the final pretrial order.

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1 Having considered defendant's motion, the court hereby ORDERS  
2 that:

- 3 1. The motion to strike is DENIED<sup>1</sup>; and  
4 2. The court will take up the parties' objections to the  
5 trial exhibits on the first day of trial.

6 IT IS SO ORDERED.

7 DATED: September 14, 2005

8 /s/Lawrence K. Karlton

9 LAWRENCE K. KARLTON

10 SENIOR JUDGE

11 UNITED STATES DISTRICT COURT

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24 <sup>1</sup> The court notes that it is not in any way rewarding  
25 plaintiff's counsel for his lack of diligence in failing to timely  
26 serve opposing counsel with his objections to defendant's trial  
exhibits. The court will take up any objections or motions  
regarding the trial exhibits when trial commences.